

REMARKS

Claims 1-18 and 47-60 are now pending in the application. Claims 19-46 have been cancelled. Claims 47-60 are newly added. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

1. Claims 1, 2, 7, 8, 12, 13, 15 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent JP 357114710 to Uesugi. This rejection is respectfully traversed.

Claim 1 recites, "An aircraft adapted for covert deployment and low vulnerability to hostile detection and aggression, said aircraft comprising: a fuselage having a pair of sidewalls and a bottom adapted to form an armored payload bay; a pair of wings connected to the fuselage, the wings adapted to allow the aircraft to be transported within a larger aircraft; wherein each sidewall includes at least one pulse ejector thrust augmentor (PETA) bank that includes a plurality of interconnected pulsejets, each PETA bank canted outward such that a thrust exhaust produced by each PETA bank is directed down and outwardly away from a centerline of the payload bay; and wherein the bottom is adapted to allow ingress and egress of cargo from the payload bay."

Uesugi does not describe, show or suggest an aircraft including at least one pulse ejector thrust augmentor (PETA) bank that includes a plurality of interconnected pulsejets. Rather, Uesugi appears to disclose a plurality of pulsejet engines 8 independently mounted to sidewall of a main body 1.

Additionally, Uesugi does not describe show or suggest aircraft including including a PETA bank canted outward such that a thrust exhaust produced by each bank is directed down and outwardly away from a centerline of the payload bay. Rather, Uesugi appears to disclose a plurality of pulsejet engines 8 attached to a main body 1 such that each pulsejet engine 8 is vertically oriented, i.e. not canted. Additionally, Uesugi appears to disclose that a thrust produced by the pulsejets engines 8 would be directed directly downward from the bottom of the main body 1, i.e. not

directed downward and outwardly away from a centerline of the main body 1 (see Figures 1, 2 and 3).

Furthermore, Uesugi does not describe, show or suggest an aircraft including a pair of wings adapted to allow the aircraft to be transported within a larger aircraft. Rather, Uesugi appears to disclose a single wing 2 having a length that would prohibit transporting the aircraft within a larger aircraft. Specifically, Figures 2, 3 and 4 illustrated the wing 2 sectionally, using broken lines, indicating the wing 2 is considerably longer than what can be shown in Figure 2, 3 and 4.

Therefore, Applicants respectfully submit that amended Claim 1 is patentable over Uesugi. Claims 2, 7, 8, 12, 13, 15 and 16 depend from amended Claim 1. When the recitations of Claims 2, 7, 8, 12, 13, 15 and 16 are considered in combination with the recitations of amended Claim 1, Applicant submits that Claims 2, 7, 8, 12, 13, 15 and 16 are likewise patentable over Uesugi.

For at least the reasons set forth above, Applicants respectfully request that the §103 rejections of Claims 1, 2, 7, 8, 12, 13, 15 and 16 be withdrawn.

2. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent JP 357114710 to Uesugi in view of Haynes (U.S. Pat. No. 6,619,584). This rejection is respectfully traversed.

Claim 3 depends from amended Claim 1, which, in accordance with the remarks set forth above, Applicants respectfully submit is patentable over the cited reference, Uesugi. Thus, when the recitations of Claim 3 are considered in combination with the recitations of amended Claim 1, Applicants submit that Claim 3 is patentable over Uesugi in view of Haynes.

For at least the reasons set forth above, Applicants respectfully request that the §103 rejection of Claim 3 be withdrawn.

3. Claims 4-6 and 9-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent JP 357114710 to Uesugi. This rejection is respectfully traversed.

Claims 4-6 and 9-11 depend from amended Claim 1, which, in accordance with the remarks set forth above, Applicants respectfully submit is patentable over the cited reference, Uesugi. Thus, when the recitations of Claims 4-6 and 9-11 are considered in combination with the recitations of amended Claim 1, Applicants submit that Claims 4-6 and 9-11 are also patentable over Uesugi.

For at least the reasons set forth above, Applicants respectfully request that the §103 rejection of Claims 4-6 and 9-11 be withdrawn.

4. Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent JP 357114710 to Uesugi in view of Shapey (U.S. Pat. No. 5,507,453). This rejection is respectfully traversed.

Claim 17 depends from amended Claim 1, which, in accordance with the remarks set forth above, Applicants respectfully submit is patentable over the cited reference, Uesugi. Thus, when the recitations of Claim 17 are considered in combination with the recitations of amended Claim 1, Applicants submit that Claim 17 is patentable over Uesugi in view of Shapey.

For at least the reasons set forth above, Applicants respectfully request that the §103 rejection of Claim 17 be withdrawn.

5. Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over ordinary skill in the art. This rejection is respectfully traversed.

Claim 18 depends from amended Claim 1, which, in accordance with the remarks set forth above, Applicants respectfully submit is patentable over the cited reference, Uesugi. Thus, when the recitations of Claim 18 are considered in combination with the recitations of amended Claim 1, Applicants submit that Claim 18 is also patentable.

For at least the reasons set forth above, Applicants respectfully request that the §103 rejection of Claim 18 be withdrawn.

NEWLY ADDED CLAIMS

Regarding newly added Claims 47-56, Claim 47 is an independent claim including limitations similar to the limitation recited in amended Claim 1, set forth above. In accordance with the remarks set forth above with respect to amended Claim 1, Applicants respectfully submit the newly added Claim 47 is patentable over the cited references. Claims 48-57 depend from Claim 47, therefore, when the recitations of Claims 48-57 are considered in combination with the recitations of amended Claim 47, Applicants submit that Claims 48-57 are likewise patentable over cited references.

Regarding newly added Claims 57-60, Claim 57 is an independent claim including limitations similar to the limitation recited in amended Claim 1, set forth above. In accordance with the remarks set forth above with respect to amended Claim 1, Applicants respectfully submit the newly added Claim 57 is patentable over the cited references. Claims 58-60 depend from Claim 57, therefore, when the recitations of Claims 58-60 are considered in combination with the recitations of amended Claim 57, Applicants submit that Claims 58-60 are likewise patentable over cited references.


CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7500.

Respectfully submitted,

Dated: 6/8/04

HARNESS, DICKEY & PIERCE, P.L.C.
5445 Corporate Drive, Suite 400
Troy, MI 48098-2683
(248) 641-1600

By: 

Scott T. Gray, Reg. No. 48,891